

# PROCLAMATION

**WHEREAS**, the Tempe City Charter authorizes the declaration of an emergency affecting the life, health, property or the public peace of the City of Tempe; and the Tempe City Council by way of Emergency Ordinance No. O2020.07, declared an emergency on March 18, 2020, authorizing the Mayor to rule by proclamation to enact measures to ensure the public peace, health, safety, or general welfare of the community; and

**WHEREAS**, Arizona law authorizes the Mayor of the City of Tempe, Arizona, to proclaim the existence or threatened existence of a local emergency when the City of Tempe is or may be affected by a public calamity under A.R.S. § 26-311, in addition to powers granted by other provisions of law or the Charter; and

**WHEREAS**, on January 30, 2020, the World Health Organization declared the COVID-19 virus a public health emergency of international concern and Arizona Governor Douglas Ducey declared a state of emergency for the State of Arizona on March 11, 2020; and

**WHEREAS**, the COVID-19 outbreak constitutes an immediate threat to life, public health, safety, welfare and economic viability, the City of Tempe has taken measures to protect the health and safety of our residents, community and employees, from the rapidly evolving threat to public health, safety and welfare; and,

**WHEREAS**, pursuant to the State of Arizona's Executive Orders and at the recommendation of the state's public health officials, the City of Tempe shall continue its efforts to further limit potential exposure through a policy of physical distancing to slow the spread of the COVID-19 virus while maintaining social connections as residents return to certain activities; and,

**WHEREAS**, the Mayor of Tempe proclaimed expansion of premise allowances on May 26, 2020 and an updated proclamation was issued on August 19, 2020, which has allowed Tempe restaurants to extend their businesses to allow for greater physical distancing in conformance with requirements set forth by the Arizona Department of Health Services; and,

**WHEREAS**, Governor Ducey issued Executive Order 2020-60 on December 2, 2020, easing regulations on outdoor dining and having previously authorized restaurants and bars to resume operations in a limited capacity, subject to Centers for Disease Control guidelines and Arizona Department of Health Services requirements.

**NOW THEREFORE, IT IS HEREBY PROCLAIMED THAT DUE TO THE LOCAL EMERGENCY THAT EXISTS IN THE CITY OF TEMPE, ARIZONA FROM THE COVID-19 VIRUS OUTBREAK IT IS HEREBY ORDERED WITHIN THE CITY OF TEMPE:**

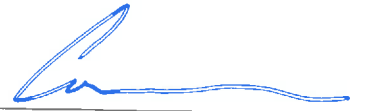


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Effective until May 9, 2021, businesses may take advantage of an "extension of premises permit" which will allow for the expansion of retail sales and restaurant and bar seating, in certain instances, for dining into a designated outdoor area that may include public rights-of-way and private property, including noncontiguous extensions so long as not to exceed 60 feet from the permanently licensed premises pursuant to Executive Order 2020-60. This extension may be granted upon application, expedited review and approval of the Special Events Taskforce. Additional review and approval shall be required by the Arizona Department of Liquor Licenses and Control. The Special Events Taskforce will ensure compliance with the Americans with Disabilities Act, appropriate emergency vehicle access and that the extension avoids public safety hazards and visual obstructions. Enforcement measures may be taken if a business extends its premises without City authorization. The City of Tempe will continue to allow businesses to use of onsite banner and window signage without requiring a sign permit to align with Executive Order 2020-25. This Proclamation does not affect, alter or suspend the special events permit requirements detailed in Tempe City Code Section 5-2. Existing expansion of premises permits granted pursuant to the May 26, 2020 and August 19, 2020 proclamations remain in effect until May 9, 2021.

This proclamation rescinds and replaces the previous proclamation dated August 19, 2020. Provisions in this proclamation pursuant to Executive Order 2020-60 will be rescinded upon expiration or rescission of the Order by Arizona Governor Douglas Ducey.

PROCLAIMED at 12:02 p.m. this 8<sup>th</sup> day of December, 2020.



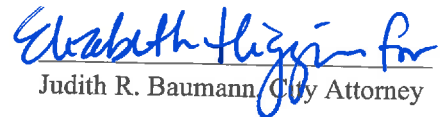
Corey D. Woods, Mayor

ATTEST:



Carla R. Reece, City Clerk

APPROVED AS TO FORM:



Judith R. Baumann, City Attorney

